

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT of CALIFORNIA

CIVIL MINUTES

Judge: William Alsup Time in Court:
5 hrs. 37 min.
Date: May 18, 2016
Case No. [3:10-cv-03561-WHA](#)

Oracle America, Inc. v. **Google, Inc.**

Plaintiff Counsel

Peter Bicks; Annette Hurst
Matthew Bush; Lisa Simpson
Gabriel Ramsey; Christina Von Der
Ahe; Alyssa Caridis; George Saab
(Corp Rep)

Defense Counsel

Robert Van Nest; Bruce Baber;
Christa Anderson; Ed Bailey; Daniel
Purcell; Matthias Kamber; Eugene
Paige; Michael Kwun; Reid Mullen;
Maya Karwande; Steven Ragland;
Catherine Lacavera (Corp Rep)

Deputy Clerk: Angella Meuleman

Reporter: Pam Batalo; Kathryn
Sullivan

PROCEEDINGS

REASON FOR HEARING: Further Jury Trial - HELD

RESULT OF HEARING: Witnesses called.

CONTINUED TO: **May 19, 2016 at 7:30 am** for Further Jury Trial.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

[3:10-cv-03561-WHA](#)

Oracle America, Inc v. Google Inc.

EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
William Alsup	Peter Bicks; Annette Hurst; Lisa Simpson; Gabriel Ramsey; Matthew Bush; Christina Von Der Ahe; Alyssa Caridis; George Saab (Corp rep)	Robert Van Nest; Christa Anderson; Bruce Baber; Ed Bailey; Daniel Purcell; Michael Kwun; Steven Ragland; Reid Mullen; Eugene Paige; Matthias Kamber; Maya Karwande; Catherine Lacavera (Corp rep)
JURY TRIAL:	REPORTERS:	CLERK:
May 18, 2016	Pam Batalo; Kathryn Sullivan	Angella Meuleman
FURTHER TRIAL DATE:		
May 19, 2016		

PLF NO.	DEF NO	DATE/ TIME OFFERED	ID	EVI. REC	DESCRIPTION	B Y
		7:11			Court in session. Matters discussed outside the presence of the jury. The Court rules Exhibit 5046 admitted in evidence on laying foundation. Limited purpose of demonstrating individual's state of mind.	
5046			X	X	Email chain from sa3ruby@gmail.com to members@apache.org re and what if we accepted the damn FOU restriction? (to be redacted) Limited to reflect state of mind.	
		7:43			Jury present; Witness, Douglas Schmidt , on the witness stand. Cross-examination of witness by Matthias Kamber.	
					Witness shown 43.1 (already admitted).	
		8:03			Re-direct examination of witness by Annette Hurst.	
		8:08			Re-cross-examination of witness by Matthias Kamber.	
		8:10			Witness excused.	

		8:11			Witness, Neal Civjan , approaches the witness stand and is sworn for testimony. Direct examination of witness by Peter Bicks.	
9133.1			X	X	Graphic slides for meeting with Thomas/Hasan.	
1026			X	X	Sun Community Source License: Danger, Inc.	
4108			X	X	Excel spreadsheet titled "Strategic Forecast"	
		8:41			Cross-examination of witness by Steven Ragland.	
	2436		X	X	Email dated April 18, 2006 from Neal Civjan to Vineet Gupta cc: Alan Brenner, Michael Pfefferlin; Re: CONFIDENTIAL: Current Armstrong Biz status - Neal please review.	
	7791		X		Linked-in profile Resume of Neal Civjan.	
		9:02			Witness excused and discharged.	
		9:03			Witness, Alan Brenner , approaches the witness stand and sworn for testimony. Direct examination by Lisa Simpson.	
		9:20			Jury in Recess. Matters discussed outside the presence of the jury. Exhibit 9198 is allowed into evidence.	
		9:40			Court in Recess.	
		9:47			Resumed; Jury present. Direct examination of witness by Lisa Simpson continues.	
9198			X	X	Letter to Haungnam, Kim from Alan Brenner (limited to show this transaction occurred with Korea).	
		9:52			Cross-examination of witness by Eugene Paige.	
					Witness shown exhibits 2436 and 9198 (previously admitted).	
					Witness shown exhibit 7237 (previously admitted).	
	7238		X	X	Alan Brenner, Senior Vice President, Client Systems Group, Sun Microsystems	
		10:09			Re-direct examination of witness by Lisa Simpson.	
		10:14			Re-cross examination of witness by Eugene Paige.	
		10:16			Witness excused and discharged.	
		10:17			Deposition Video clip of witness, Brian Swetland . Introduction made by Christy Von Der Ahe. 303,156,149	

303			X	X	Email from Michael Fleming to Brian Swetland re manifesto.	
156			X	X	Email chain from Cedric Beust to David Turner re [android-team] Fwd:Java News from Sun.	
149			X	X	Email from B. Swetland to arubin@google.com and danfuzz@google.com re: interesting.	
		10:20			Deposition Video clip of witness, Bob Lee . Introduction made by Christy Von Der Ahe.	
		10:28			Witness, Stefano Mazzocchi , approaches the witness stand and is sworn for testimony. Direct examination of witness by Annette Hurst.	
9518			X		Twitter feed of Stefano Mazzocchi.	
9207			X		Wayback Machine - "Foundation Project - The Apache Software Foundation." Dated 4/12/08	
9206			X		Wayback Machine - "Foundation Project - The Apache Software Foundation." Dated 3/29/07	
					Witness shown redacted exhibit 5046 (previously admitted).	
		10:55			Cross-examination of witness by Michael Kwun.	
		10:57			Sidebar.	
		11:02			Direct-examination of witness by Annette Hurst.	
9200			X	X	Email from S. Mazzocchi to memers@apache.org re: FYI: Upcoming open letter to Sun. (Limited instruction as to state of mind concerning what was customary practice re: declaring code without restriction)	
9201			X	X	Email from Stefan Mazzocchi to members @apache.com re: Oracle buys Sun. (Limited instruction as to state of mind concerning customary practice re: declaring code without restriction)	
		11:05			Witness excused.	
					Jury in recess. Matters discussed outside the presence of the jury. Proposed jury instructions to be circulated today.	
		11:15			Court in Recess.	
		11:25			Court in session. Matters discussed outside the presence of the jury.	

		11:28			Resumed; Jury present. Witness, Alan Jaffe , approaches the witness stand and is sworn for testimony. Direct examination by Peter Bicks.	
		12:23			Cross-examination of witness by Robert Van Nest.	
					Witness is shown exhibit 2052 (previously admitted)	
					Witness is shown exhibit 7237 (previously admitted)	
		1:00			Witness excused.	
		1:00			Jury in recess. Matters discussed outside the presence of the jury.	
		1:05			Court adjourned.	